

# Electronic Case Filing

# User's Manual

United States District Court Western District of North Carolina April 2005 Edition

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# GETTING STARTED

This manual provides instructions on how to use the Electronic Filing System to file documents with the court, or to view and retrieve docket sheets and documents for all cases assigned to this system. Users should have a working knowledge of Netscape or Internet Explorer and Adobe Acrobat.

# **Help Desk**

Contact the Court's Help Desk between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, if you need assistance using ECF.



Toll Free Help Desk 1-866-851-1605 or e-mail for help from our website

# **ECF System Capabilities**

The electronic filing systems allows registered participants with internet accounts and an internet browser software to perform the following functions:

- Open the court's webpage.
- View or download the most recent version of the User's Manual.
- ► Self-train on a web-based ECF tutorial.
- Practice entering pleadings into ECF using a "training" database that is similar to the official live ECF database.
- Electronically file pleadings and documents in actual ("live") cases.
- View official docket sheets and documents associated with cases.
- View various reports for cases that were filed electronically.

# Hardware and Software Requirements

The hardware and software needed to electronically file, view and retrieve case documents are the following:

- A personal computer running a standard platform such as Windows or Macintosh.
- An internet provider using Point to Point Protocol (PPP) and the latest version of Netscape Navigator or Internet Explorer.
- ► An internet e-mail account.
- Software such as Adobe Acrobat Writer or pdfFactory, to convert documents from a word processor format to portable document format (PDF). Please note that some word processors can convert documents to PDF.
- A scanner to transmit documents that are not in your word processing system. Please note this would only be used for documents that cannot be produced electronically. Scanned documents lessen the level of service we provide by slowing down the entire system. We are moving away from the utilization of scanned documents indie the Court and are asking you to do the same when possible.

\*Due to security a session can only be established sign the latest version of Netscape Navigator or Internet Explorer. DO NOT USE America On-Line's version of Netscape Navigator, a version of Nescape Navigator lower than 4.5 or a version of IE lower than 5.5. Use other browsers at your own risk.

# **PACER Registration**

ECF users must have a PACER account with the Court in order to use the Query and Reports features of the ECF system. If you do not have a PACER login, contact the PACERService Center to establish an account. You may call the PACER Service Center at (800)676-6856 or (210)301-6440 for information or to register for an account. Also, you may register for PACER online at <a href="http://pacer.psc.uscourts.gov">http://pacer.psc.uscourts.gov</a>.

# Registering for Access to ECF

Participants will need to register with the courts to receive a login and password for the CM/ECF system. Registration forms can be obtained on our website <a href="http://www.ncwd.uscourts.gov/ecf">http://www.ncwd.uscourts.gov/ecf</a> or by calling the court.

Completed registration forms should be submitted online.

Once an account has been established, your login and password will be sent to you by the Office of the Clerk by e-mail.

Registered users can visit a training version of the system on the internet at https:/ecf-train.ncwd.uscourts.gov to practice ECF activities. We strongly recommend that registered users practice in the "training" ECF database before filing documents in the "live" ECF database.

# **Setting UP the Acrobat PDF Reader**

Users must set up Adobe's Acrobat Reader software in order to view documents that have been electronically filed on the system. All pleadings must be filed in PDF format. When installing this product, please review and follow Adobe's directions to utilize Acrobat Reader after installation.

# **Portable Document Format (PDF)**

Only PDF (Portable Document Format) documents may be filed with the court using the ECF systems. Before sending the file to the court, users should preview the PDF formatted document to ensure that it appears in its entirety and in the proper format.

#### How to View a PDF File

- Start the Adobe Acrobat program.
- Go the the *File* menu and choose *Open*.
- Click on the location and file name of the document to be viewed.
- If the designated location is correct, and the file is in PDF format, Adobe Acrobat Exchange loads the file and displays it on the screen.
- If the displayed document is larger than the screen or consists of multiple pages, use the scroll bars to move through the document.
- ► Click on the View menu for other options for viewing the displayed document. Choose the option that is most appropriate for the document.

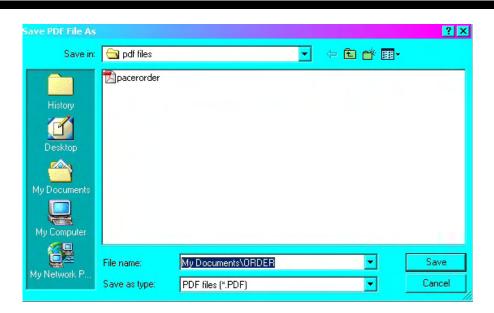
#### **How to Convert Documents to PDF Format**

You must convert all of your documents to PDF format before submitting them to the Court's Electronic Case Filing (ECF) system. The conversion process requires special software such as Adobe Acrobat Writer or FinePrint pdfFactory. WordPerfect versions 9 and above have Acrobat Writer built-in and can be used to convert documents to PDF.

# Using any word processing program:

- Install Acrobat Writer or FinePrint pdfFactory on you computer.
- Open the document to be converted.
- Select the [Print] option (generally found in the File menu) and in the dialog box select the option to change the current printer. A drop down menu with a list of printer choices is displayed.
- Select Adobe PDFWriter or FinePrint pdfFactory.
- "Print" the file. The file should not actually print out; instead the print to save the file as a PDF format file appears.
- Make a note of the file location so you can find the document later when you are ready to upload it. Change the location if necessary by clicking in the "Save in" area of the window.
- Name the file, giving it the extension .PDF and click the [Save] button.

Depending on the word processing program being used, it may be necessary to find the printer selection option elsewhere. At that point, change the printer to Adobe



You must have either Adobe Acrobat Writer or FinePrint pdfFactory installed on your computer to see these choices listed.

# **BASICS**

#### **User Interactions**

There are three general types of user interactions allowed by the system:

- Entering information in data fields.
- Using command buttons to direct system activities.
- Mouse-clicking on hyperlinks.

#### Conventions used in this Manual

- Data to be entered by the user is shown enclosed in angle brackets: <data to be entered>.
- Command buttons are represented in this manual in [bracketed boldface type].
- ► Hyperlinks are represented in underlined boldface type.

#### **Documents filed in Error**

A document incorrectly filed in a case may result from (a) posting the wrong PDF file to a docket entry; (b) selecting the wrong document type from the menu; or, (c) entering the wrong case number and not discovering the error before completing the transaction.

To request a correction telephone:



Toll Free Help Desk 1-866-851-1605

as soon as possible after an error is discovered. DO NOT ATTEMPT TO RE-FILE THE DOCUMENT!!! You will need to provide the case and document numbers for the document requiring correction. If appropriate, the court will make an entry indicating that the document was filed in error. You will be advised if you need to re-file the document. The ECF system does not permit you to change the misfiled document(s) or incorrect docket entry after the transaction has been accepted.

# Viewing Transaction Log

This feature, selected from the Utilities menu allows you to review all transactions ECF has processed with your login and password. If you believe or suspect someone is using your login and password without your permission, change your password immediately, then telephone the Court's Help Desk as soon as possible.

# User's Manual

You can download or view the most recent version of the ECF User's Manual (in PDF format) from the District Court's webpage.

Enter <a href="http://www.ncwd.uscourts.gov/ecf">http://www.ncwd.uscourts.gov/ecf</a>

# A STEP-BY-STEP GUIDE

Below is a step-by-step guide for entering the system, preparing a document for filing, filing a motion or application, and displaying a docket sheet. We suggest that you go through the steps on the training database before trying to actually file a document.

**How to Access the System** 

Users can get into the system via the Internet by going to

http://ecf.ncwd.uscourts.gov

Or, you may go to the Western District of North Carolina's website at

www.ncwd.uscourts.gov/ecf

Users can access the **Training Database** by going to

http://ecf-train.ned.uscourts.gov

# Logging In

The next screen in the login screen

ECF/PACER Login
<b>Notice</b> This is a <b>Restricted Web Site</b> for Official Court Business only. Unauthorized entry is prohibited and subject to prosecution under Title 18 of the U.S. Code. All activities and access attempts are logged.
Instructions  Enter your ECF login and password for electronic filing capabilities. If you do not need filing capabilities, enter your PACER login and password. If you do not have a PACER login, contact the PACER Service Center to establish an account. You may register online at <a href="http://pacer.psc.uscourts.gov">http://pacer.psc.uscourts.gov</a> or call the PACER Service Center at (800) 676-6856 or (210) 301-6440.
An access fee of \$.08 per page (rate increase effective January 1st,2005), as approved by the Judicial Conference of the United States, will be assessed for access to this service. All inquiries will be charged to your PACER account. If you do not need filing capabilities, enter your PACER login and password. The Client code is provided to the PACER user as a means of tracking transactions by client. This code can be up to thirty two alphanumeric characters long.
Authentication
Login:
Password:
client code:
Login Clear

Enter your ECF Login and Password in the appropriate data entry field. All ECF login names and passwords are case sensitive.

Note: Use your ECF login and password if you are entering the the system to file a pleading or to maintain your account. If you only wish to enter ECF to query the database for case information or to view a document, enter your PACER login and password.

Verify that you have entered your ECF login and password correctly. If not, click on the **[Clear]** button to erase the Login and Password entries and re-enter the correct information. After you enter the correct login and password information, click on the **[Login]** button to transmit your user information to the ECF system.

If the ECF system does not recognize your login and password, it will display the following error message on a new screen.

Login failed either your login name or key is incorrect.

• Click on the [Back] button in your browser and re-enter your correct login and password.

Once the Main Menu appears, choose from a list of hyperlinked options on the top bar.



Note: The date you last logged into the system appears at the bottom left corner of this screen. You should review this information each time you login for security reasons. If you believe your last login and time are incorrect, or suspect an unauthorized party is using your login and password, please telephone the court's Help Desk (see p. 2) as soon as possible.

# **Selecting ECF Features**

ECF provides the following features that are accessible from the Blue menu bar at the top of the opening screen.

Civil Select Civil to electronically file all civil case pleadings, motions and other court

documents

**Criminal** Select **Criminal** to electronically file all criminal case pleadings, motions and

other court documents

Query ECF by specific case number, party name, or nature of suit to retrieve

documents that are relevant to the case. You must login to PACER before you can

query ECF.

**Reports** Choose **Reports** to retrieve your docket sheets and cases-filed reports. You must

login to PACER before you can view an ECF report.

**Utilities** View your personal ECF transaction log and maintain personal ECF account

information in the Utilities are of ECF.

**Logout** Allows you to exit from ECF and prevents further filing with your password until

the next time you log in.

#### **Civil Events Feature**

Registered filers will use the Civil feature of ECF to electronically self-file and docket with the Court a variety of pleadings and other documents for civil cases. See the list of ECF documents at the back of this manual. This section of the manual describes the basic steps that you need to take in order to file a single motion with the Court. The process is consistent regardless of the event.

# General Rules and Manipulations.

# Manipulating the screens

Each screen has the following two buttons:

- [Clear] clears all characters entered in the box on that screen
- [Next] or [Submit] accepts the entry just made and displays the next entry screen, if any.

# Correcting a mistake

Use the back button on the browser toolbar to go back and correct an entry made on a previous screen. However, once the document is transmitted to the court, only the court can make changes or corrections.

# Signatures; Affidavits of Service

Documents which must contain original signatures or which require either verification or an unsworn declaration under any rule or statute, shall be filed electronically with originally executed copies maintained by the filer. The pleadings or other documents electronically filed shall indicate a signature, e.g. "s/Jane Doe."

In the case of a stipulation or other document to be signed by two or more persons, the following procedure should be used:

- The filing party or attorney shall initially confirm that the content of the document is acceptable to all persons required to sign the document and shall obtain the physical signatures of all parties on the document.
- The filing party or attorney then shall file the document electronically, indicating the signatories, e.g. "s/Jane Doe," "s/John Doe," etc.
- The filing party or attorney shall retain the hard copy of the document containing the original signatures after the case ends, at least until two years after the time for all appeals has expired.
- A non-filing signatory or party who disputes the authenticity of an electronically filed document containing multiple signature or the authenticity of the signatures themselves must file an objection to the document within 10 days of receiving the Notice of Electronic Filing.

# Filing a Civil Complaint

The Court will accept complaints, civil cover sheets and summons sent by e-mail, sent by U.S. Mail, or delivered in person to the Clerk's Office. If you e-mail your complaint, it must be in PDF format and submitted via "CyberClerk" on the CM/ECF menu. Upon receipt of the e-mail the Clerk's Office will contact the filing party to arrange payment of all appropriate fees. New cases will not be filed until the filing fee has been paid. You will receive a Notice of Electronic Filing when the Complaint has been filed.

# Filing Documents for Civil Cases

There are eight basic steps involved in filing a document:

- 1. Select the type of document to file (see Attorney Event Menu);
- 2. Enter the case number in which the document is to be filed;
- 3. Designate the party(s) filing the document;
- 4. Specify the PDF file name and location for the document to be filed.
- 5. Add attachments, if any, to the document being filed.
- 6. Modify docket text as necessary.
- 7. Submit the pleading to ECF.
- 8. Receive notification of electronic filing.

After successfully logging into ECF, follow these steps to file a pleading.

#### 1. Select the type of document to file

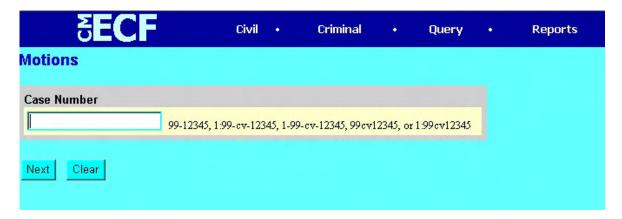
Select Civil from the blue menu bar at the top of the ECF screen. The Civil Event window opens displaying all of the events from which you may choose for your filing. This section of the Users Manual describes the process for filing a Motion in ECF. The process is similar for filing other pleadings in ECF.



Click on Motions, under Motions and Related Filings.

# 2. Enter the case number in which the document is to be filed.

A new Motions screen opens with a Case Number field. Enter the number of the case for which you are filing a motion and click on [Next].



- If the number is entered incorrectly, click [Clear] to re-enter. If the computer prompts that you entered an invalid case number, click on [Back] to re-enter.
- ▶ When the case number is correct, click on [Next].

The <u>Motions</u> screen appears and displays a motion selection field with a scroll bar next to it. Scroll through the menu until you find the type of motion or application you wish to file.



For demonstration purposes, highlight Preliminary Injunction and click on [Next].

# 3. Designate the party(s) filing the document.



Highlight the name of the party or parties for whom you are filing the motion. If you represent all defendants or all plaintiffs you may select the entire group by holding down the control key while pointing and clicking on each party of the group.

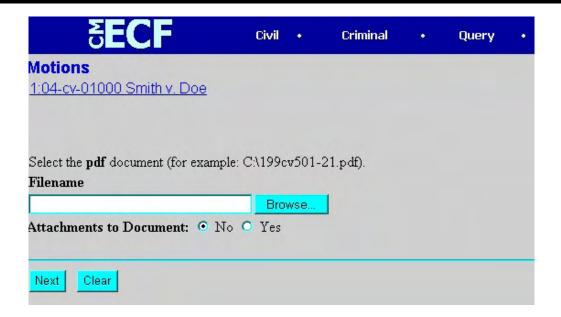
After highlighting the parties to the motion, click on the [Next] button.

Note: If your party does not appear, see the section of this manual titled **Add/Create New Party**.

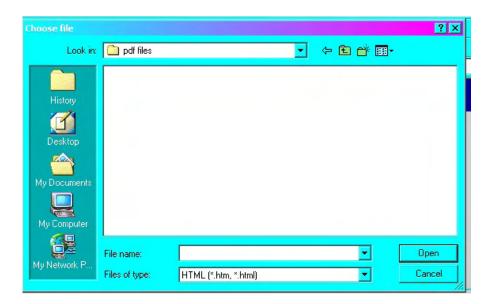
# 4. Specify the PDF file name and location for the document to be. filed

ECF accepts the party or parties you selected and refreshes the screen to display a new Motions screen depicted below. ECF displays a field for locating and entering the PDF file of the document (pleading) you are filing in ECF.

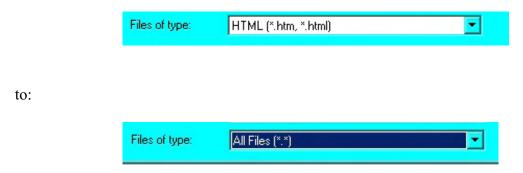
Note: It is imperative that you attach an electronic copy of the actual pleading when prompted by the system. All documents that you intend to file in ECF MUST reside in PDF format. Otherwise, ECF will not accept the document and users will be unable to retrieve and read your document from within ECF.



Click on the [Browse] button. ECF opens the following screen.



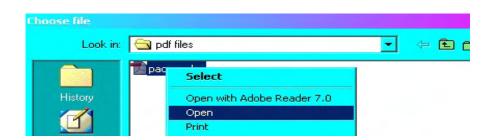
Change the **Files of type** from:



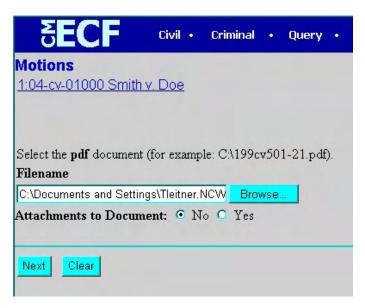
Navigate to the appropriate directory and file name to select the PDF document you wish to file.

Highlight the file to upload to ECF.

Note: In order to verify that you have selected the correct document, right mouse click on the highlighted file name to open a quick menu and left mouse click on [open]. Adobe Acrobat Reader will launch and open the PDF document that you selected. You should view it to verify that it is the correct document



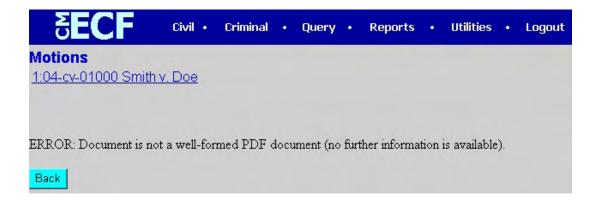
Once you have verified the document is correct, close Adobe Acrobat and click on the **[Open]** button. ECF closes the **File Upload** screen and inserts the PDF file name and location in the **Motions** screen.



If there are no attachments to the motion, click on [Next]. A new Motions window opens. Go to Section 6, "Modifying Docket Text," to proceed with your filing.

If you have Attachments to your motion, you will select [Yes] on the screen depicted above. Click on [Next] and proceed to the first step in Section 5, "Adding Attachments to Documents Being Filed."

In the event you selected and highlighted a file that is **not** in PDF format, ECF will display the following error message after you click on the [Next] button.



ECF will not permit you to select a file for your pleading that is not in PDF format.

Click on the **[Back]** button and ECF will return to the **Motions** screen. Select and highlight the PDF file of your pleading and proceed as before.

#### Failure to Select a Document to File

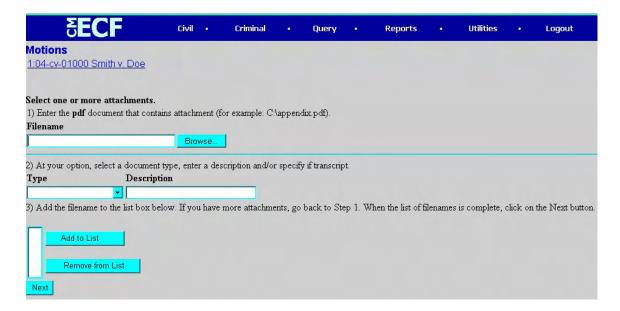
If you fail to select a document to file with your pleading, ECF will display the error message depicted below.



If you click **[OK]** from the screen depicted above ECF will return you to the Motions screen. You cannot proceed without attaching a PDF document.

# 5. Add attachments to documents being filed

If you acknowledged the need to attach documents to your motion during the previous step, a new Motions screen appears.

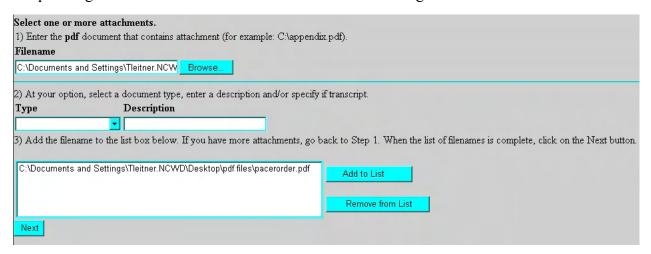


- Click on [Browse] to search for the document file name of the attachment.
- Next to the field for attachment **Type**, click on the arrow and ECF opens a pulldown screen. Highlight the type of attachment from the displayed selection.
- To describe the attachment more fully, click on the **Description** box and type a clear and concise description of the attachment.
- Click on [Add to List].

- ECF adds the selected document as an attachment to the pleading. A new Motions screen opens to display the file name of the newly attached document.
- Repeat the sequence for each additional attachment.
- After adding all of the desired PDF documents as attachments, click on [Next].

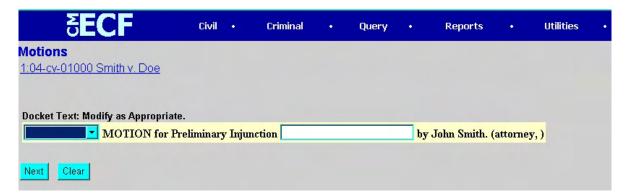
# When attachments and exhibits are in paper format

Attachments and exhibits that cannot be created and filed electronically and when scanned are greater than 2MB (@ 50 pages of PDF text) in size, can be submitted in paper format. Present the entire pleading with attachments to the Clerk's Office for handling.

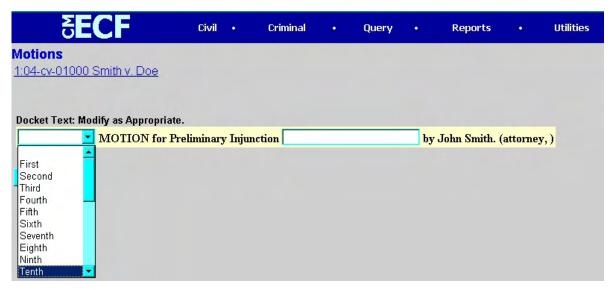


Note: For moderate length paper attachments, consider dividing them into two or more smaller attachments, scanning and filing them electronically.

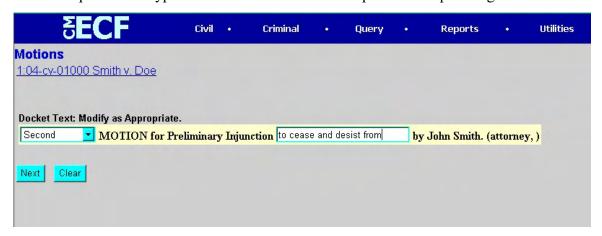
# 6. Modify docket text



Click on the button shown here to open a modifier drop down list. Select a modifier if appropriate.



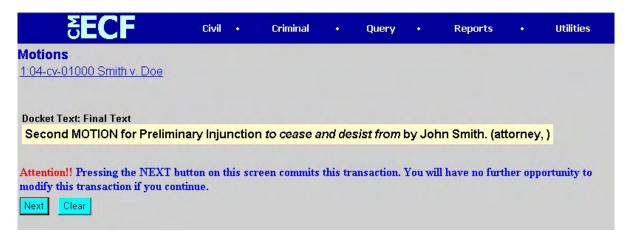
Click on the open text to type additional text for the description of the pleading.



# 7. Submit the pleading.

Click on the [Next] button. A new Motions window appears with the complete text for the docket report.

Review the docket text and correct any errors. If you need to modify data on a previous screen, click the [Back] button on the Netscape toolbar to find the screen you wish to alter.



Click on the [Next] button to file and docket the pleading.

**Note:** The screen depicted above contains the following warning.

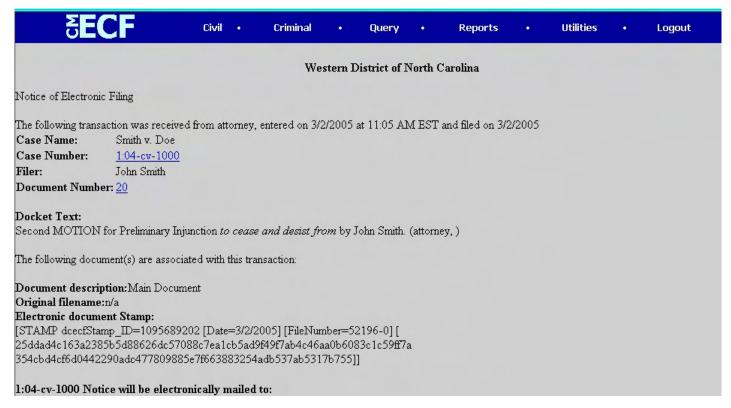
Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.

At any time prior to this step, you can abort the ECF filing or return to previous screens by:

- clicking on any hyperlink on the **Blue** ECF menu bar *to abort* the current transaction. ECF will reset to the beginning of the process you just selected.
- clicking on the Web Browser [Back] button until you return to the desired screen.

# 8. Notice of Electronic Filing

ECF opens a new Motions window displaying an ECF filing receipt.



- The screen depicted above provides confirmation that ECF has registered your transaction and the pleading is now an official court document. It also displays the date and time of your transaction and the number that was assigned to your document. You should note this number on the document's PDF file.
- Select [**Print**] on the browser Toolbar to print the document receipt.
- Select [File] on the browser menu bar, and choose Save Frame As. From the drop-down window to save the receipt to a file on the hard drive of your computer.

Notice of Electronic Filing represents your Certificate of Service. The Court strongly urges you to copy it to a file on your computer hard-drive, print it, and retain a hard copy in your personal files.

• ECF will electronically transmit the **Notice of Electronic Filing** to the attorneys and parties to the case who have supplied their e-mail addresses to the Court. The ECF filing report also displays the names and addresses of individuals who will *not* be electronically

notified of the filing. It is the <u>filer's</u> responsibility to serve hard copies of the pleading <u>and</u> the **Notice of Electronic Filing** to attorneys and parties who are not set up for electronic filing.

#### E-Mail Notification of Documents That Were Filed

After a pleading is electronically filed, the ECF systems sends a **Notice of Electronic Filing** to the designated attorneys and parties who have supplied their e-mail addresses to the Court. Individuals who receive electronic notification of the filing are permitted one "free look" at the document by clicking on the associated hyperlinked document number embedded in the **Notice of Electronic Filing**. The filer is permitted one free look at the document and the Docket Sheet to verify that the pleading was properly docketed. *The Court strongly urges you to copy the Notice of Electronic Filing and pleading documents to your hard-drive for future access*. Subsequent retrieval of the case docket sheet and pleading from CM/ECF must be made through your PACER account and is subject to regular PACER fees.

Note: It is the responsibility of filers to send hard copies of the pleading and Notice of Electronic Filing to attorneys and pro se parties who have indicated they *do not* have email accounts.

#### **Criminal Events Feature**

# Filing Documents for Criminal Cases

There are nine basic steps involved in filing a criminal document:

- 1. Select the type of document to file (see Attorney Event Menu)
- 2. Enter the case number in which the document will be filed
- 3. Designate the defendant that the filing relates to
- 4. Verify that the case number and caption are correct
- 5. Designate the party(s) filing the document
- 6. Specify the PDF file name and location for the document to be filed
- 7. Add attachments, if any, to the document being filed
- 8. Modify the docket text
- 9. Submit the pleading to ECF
- 10. Receive notification of electronic filing

After successfully logging into ECF, follow these steps to file a pleading.

# 1. Select the type of document to file

Select Criminal from the blue menu bar at the top of the ECF screen. The Criminal Event window opens displaying all of the events from which you may choose for your filing. This section of the User's Manual describes the process for filing a Motion in ECF. The process is similar for filing other pleadings in ECF.

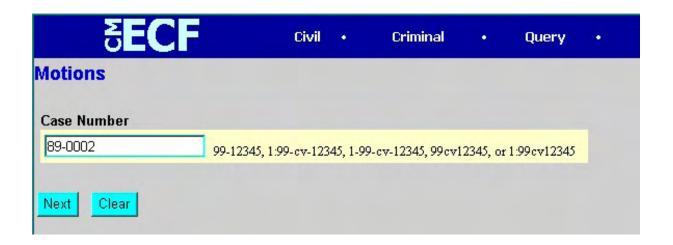
Click on Motions, under Motions and Related Filings

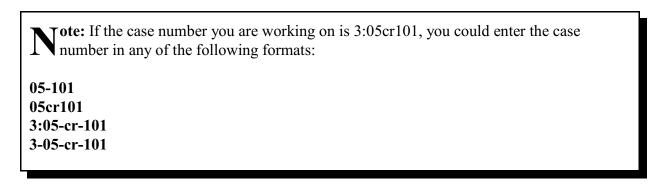


Click on Motions, under Motions and Related Filings.

# 2. Enter the case number in which the document is to be filed.

A new Motions screen opens with a Case Number field. Enter the number of the case for which you are filing a motion and click on [Next].





If the number is entered incorrectly, click [Clear] to re-enter. If the computer prompts that you entered an invalid case number, click on [Back] to re-enter.

When the case number is correct click on [Next].

# 3. Designate the party that the filing relates to.



Click in the boxes to place a check next to each party that this filing relates to. If it relates to all defendants in the case, check the box for "All Defendants" and leave the other boxes unchecked. When finished selecting defendants click on [Next].

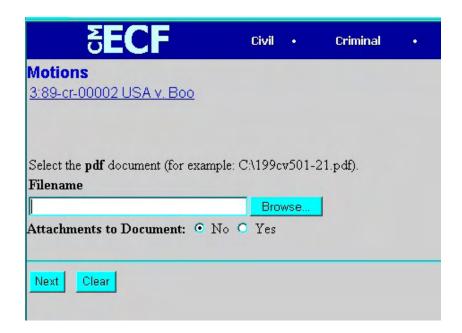
The <u>Motions</u> screen appears and displays a motion selection filed with a scroll bar next to it. Scroll through the menu until you find the type of motion or application you wish to file.



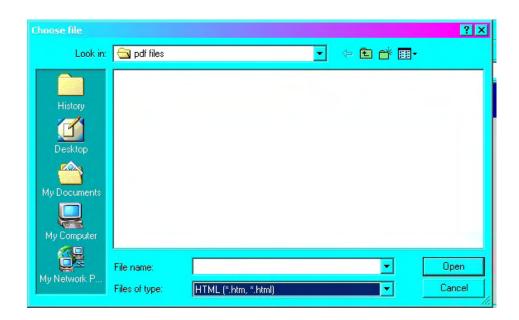
For demonstration purposes, highlight Suppress and click on [Next].

**Note:** To select more than one motion, press and hold down the **Ctrl** key, and click on each of the desired multiple forms of relief.

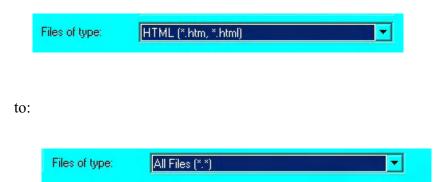
4. Specify the PDF file name and location for the document being filed.



Click on the [Browse] button. ECF opens the following screen.



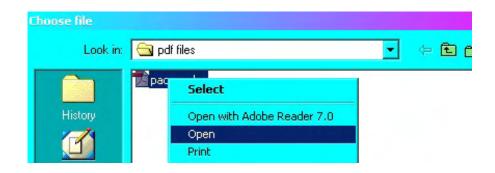
# Change Files of type from:



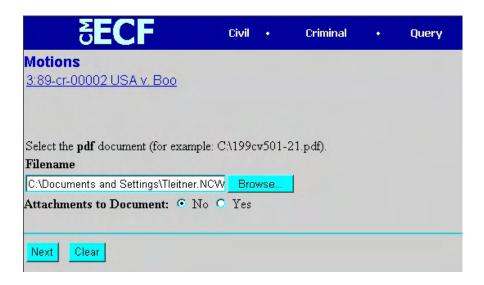
Navigate to the appropriate directory and file name to select the PDF document you wish to file.

Highlight the file to upload to ECF.

Note: In order to verify that you have selected the correct document, right mouse click on the highlighted file name to open a quick menu and left mouse click on [open]. Adobe Acrobat Reader will launch and open the PDF document that you selected. You should view it to verify that it is the correct document

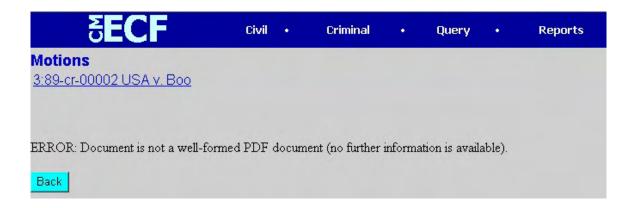


Once you have verified the document is correct, close Adobe Acrobat and click on the **[Open]** button. ECF closes the **File Upload** screen and inserts the PDF file name and location in the **Motions** screen.



If there are no attachments to the motion, click on [Next]. A new Motions window opens. Go to Section 6, "Modifying Docket Text," to proceed with your filing.

- If you have Attachments to your motion, you will select [Yes] on the screen depicted above. Click on [Next] and proceed to the first step in Section 5, "Adding Attachments to Documents Being Filed."
- In the event you selected and highlighted a file that is *not* in PDF format, ECF will display the following error message after you click on the [Next] button.



- ECF will not permit you to select a file for your pleading that is not in PDF format.
- Click on the [Back] button and ECF will return to the Motions screen. Select and highlight the PDF file of your pleading and proceed as before.

#### Failure to Select a Document to File

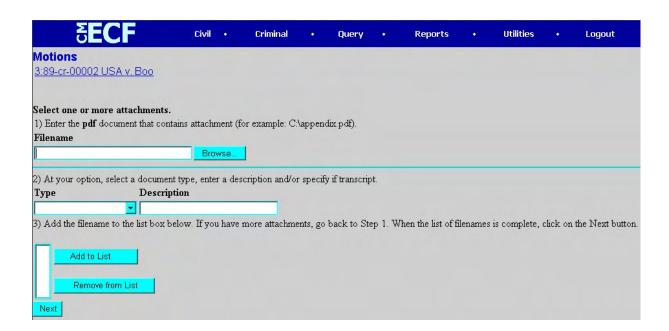
If you fail to select a document to file with your pleading, ECF will display the error message depicted below.



If you click **[OK]** from the screen depicted above ECF will return you to the Motions screen. You cannot proceed without attaching a PDF document.

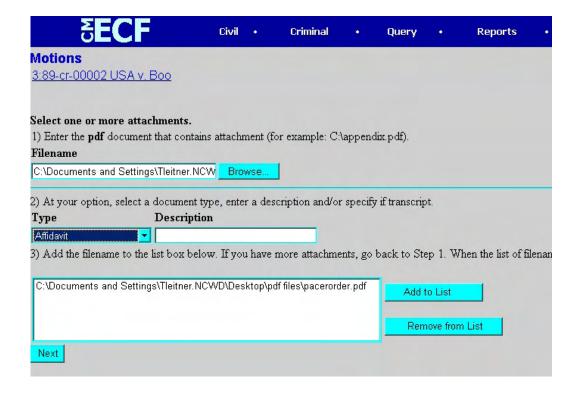
# 5. Add attachments to documents being filed

If you acknowledged the need to attach documents to your motion during the previous step, a new **Motions** screen appears.



- Click on [Browse] to search for the document file name of the attachment.
- Next to the field for attachment **Type**, click on the arrow and ECF opens a pulldown screen. Highlight the type of attachment from the displayed selection.
- To describe the attachment more fully, click on the **Description** box and type a clear and concise description of the attachment.
- Click on [Add to List].

ECF adds the selected document as an attachment to the pleading. A new **Motions** screen opens to display the file name of the newly attached document.



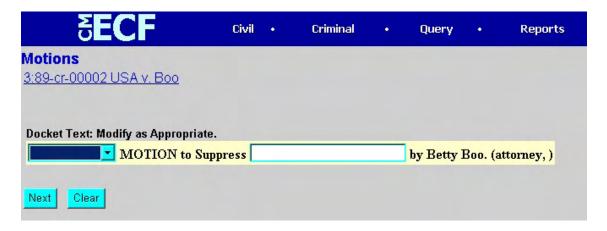
- Repeat the sequence for each additional attachment.
- After adding all of the desired PDF documents as attachments, click on [Next].

# 6. When attachments and exhibits are in paper format

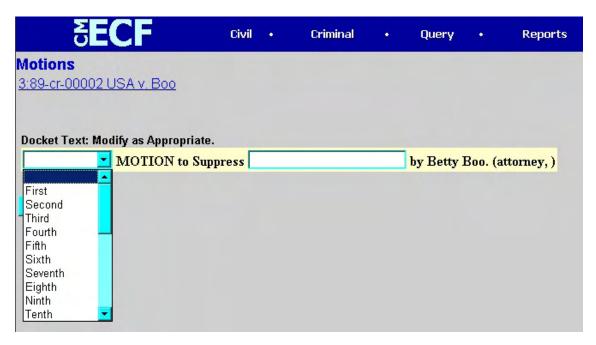
Attachments and exhibits that cannot be created and filed electronically and when scanned are greater than 2MB (@ 50 pages of PDF text) in size, can be submitted in paper format. Present the entire pleading with attachments to the Clerk's Office for handling.

Note: For moderate length paper attachments, consider dividing them into two or more smaller attachments, scanning and filing them electronically.

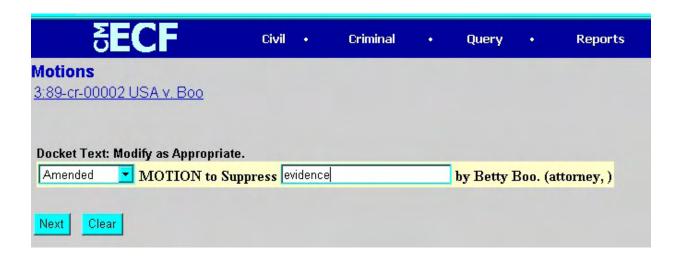
# 7. Modify docket text



Click on the drop down button to open a modifier drop-down list. Select a modifier if appropriate.

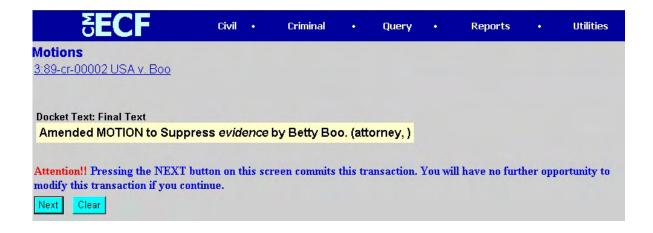


Click in the open text area to type additional text for the description of the pleading.



# 8. Submit the pleading.

- Click on the [Next] button. A new Motions window appears with the complete text for the docket report.
- Review the docket text and correct any errors. If you need to modify data on a previous screen, click the **[Back]** button on the Netscape toolbar to find the screen you wish to alter.
- Click on the [Next] button to file and docket the pleading.



# 9. Notice of Electronic Filing

ECF opens a new Motions window displaying an ECF filing receipt.

Tote: The screen depicted above contains the following warning.

Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.

At any time prior to this step, you can abort the ECF filing or return to previous screens by:

- clicking on any hyperlink on the **Blue** ECF menu bar to abort the current transaction. ECF will reset to the beginning of the process you just selected.
- clicking on the Web Browser [Back] button until you return to the desired screen.



- The screen depicted above provides confirmation that ECF has registered your transaction and the pleading is now an official court document. It also displays the date and time of your transaction and the number that was assigned to your document. You should note this number on the document's PDF file.
- Select [**Print**] on the browser Toolbar to print the document receipt.
- Select [File] on the Netscape menu bar, and choose Save Frame As. .. From the drop-down window to save the receipt to a file on the hard drive of your computer.

Note: The Notice of Electronic Filing represents your Certificate of Service. The Court strongly urges you to copy it to a file on your computer hard-drive, print it, and retain a hard copy in your personal files.

• ECF will electronically transmit the **Notice of Electronic Filing** to the attorneys and parties to the case who have supplied their e-mail addresses to the Court. The ECF filing report also displays the names and addresses of individuals who will *not* be electronically notified of the filing. It is the <u>filer's</u> responsibility to serve hard copies of the pleading

<u>and</u> the **Notice of Electronic Filing** to attorneys and parties who are not set up for electronic filing.

#### E-Mail Notification of Documents That Were Filed

After a pleading is electronically filed, the ECF systems sends a **Notice of Electronic Filing** to the designated attorneys and parties who have supplied their e-mail addresses to the Court. **Only attorneys of record in the case are able to view pleadings in Criminal cases via the internet. Attorneys in multi-defendant cases can only view, via the internet, those filings which relate directly to the party they represent. All other pleadings may be viewed at the courthouse or via PACER.** Individuals who receive electronic notification of the filing are permitted one "free look" at the document by clicking on the associated hyperlinked document number embedded in the **Notice of Electronic Filing**. The filer is permitted one free look at the document and the Docket Sheet to verify that the pleading was properly docketed. **The Court strongly urges you to copy the Notice of Electronic Filing and pleading documents to your hard-drive for future access**. Subsequent retrieval of the case docket sheet and pleading from CM/ECF must be made through your PACER account and is subject to regular PACER fees.

**Note:** It is the responsibility of filers to send hard copies of the pleading and Notice of Electronic Filing to attorneys and pro se parties who have indicated they *do not* have email accounts.

# Add/Create a New Party

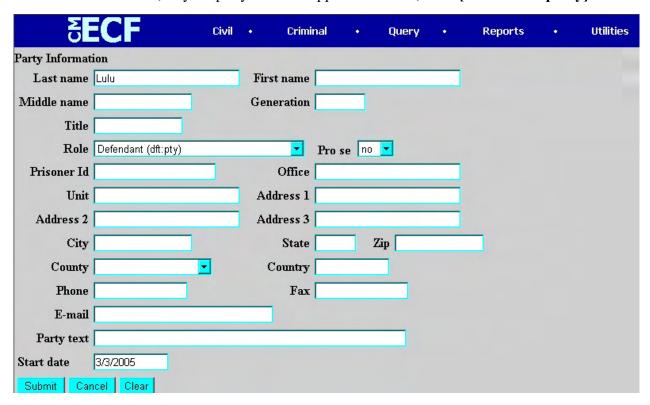
In rare cases you may need to add a party to the ECF system. If the party you represent is not listed in the "Select a Party" screen, click ono <u>Add/Create New Party</u>.



You must first perform a search to see if your party is already entered on the ECF system. Type the first few letters of the party's last name for an individual, or the first few letters of the company name. Click [Search].

If a match is found, ECF will display a list of party names. If the name of the party you represent appears in the list, click on it and then click [Select name from list]. Review the party information and select the party's role in this filing. Click [Submit].

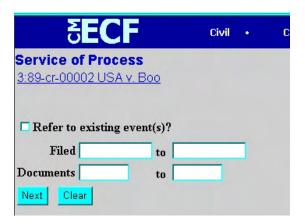
If a match is not found, or your party does not appear in the list, click [Create new party].



- For a company, enter the entire company name in the Last Name field. Choose the appropriate Role from the drop down list. Click [Submit].
- For an individual, fill out the Last Name First Name, Middle Name, Generation and Title fields as appropriate. Choose the appropriate Role from the drop down list. Click [Submit].
- Leave all other fields blank.

# **Linking Documents (Refer to existing event)**

Some pleadings such as Briefs and Indexes should be "linked" to their related documents in the case. When filing these and certain other types of documents you will be presented with the following screen.



An "event" in CM/ECF is anything that has been filed in a case. To link the document you are currently filing to a previously filed document, check the box in front of "Refer to existing event(s)?" and click [Next].



Click the checkbox for the document you wish to link to and click [Next].

# **Query Feature**

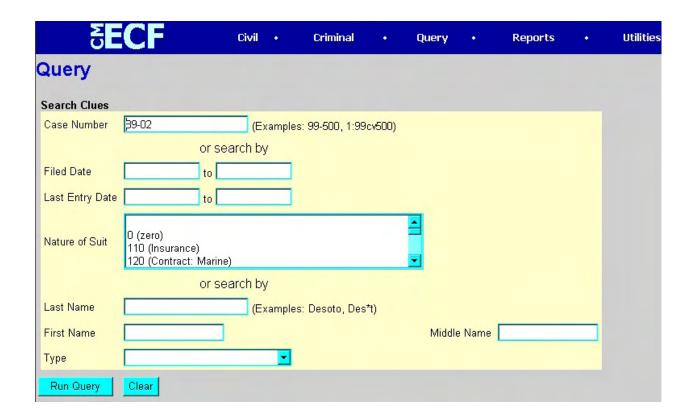
Registered participants should use this feature to query the Electronic Case Filing (ECF) system for specific case information. To enter the Query mode, click on **Query** from the **Blue** menu bar of ECF.

ECF opens the **PACER login** screen. You must enter your **PACER** login and password before ECF permits you to query the ECF database.

Note: Your PACER login and password are different from your ECF login and password. You must have a PACER account in order to retrieve, view, and print certain documents. You will be charged a fee of \$.08 per page to access documents, docket sheets, etc. from ECF.

After you enter your **PACER** login and password, ECF opens a Query data entry screen as depicted below. If you know the number that the court has assigned to the case, enter it in the **Case Number** field and click on the **[Run Query]** button. ECF opens the query screen depicted on the next. Page.

You may query the ECF database by the name of a party or an attorney to the case. Enter the last name of the party in the appropriate field. If more than one person with that name is in the database, ECF returns a screen from which to select the correct name. If you click on the name of the party, ECF will open the query screen depicted on the next page. If the individual is a party to more than one case, ECF will open a screen listing all of the party's cases. Click on the case number hyperlink and ECF opens the query screen on the following page.



After querying the database by case number, name, or nature of suit, ECF opens the **Query** window for the specific case you selected.



You may also query a case by the nature of suit. You must enter a range for either the filed date or the last entry date in order for the query to run. To search for all cases of a certain type, use the date 1/1/1970 as the "beginning of time." When you run the query, if there is more than one case that meet those criteria, you will get a screen similar to the one above, but listing multiple case numbers.



At the top of the window, ECF displays the case number, parties to the case, presiding judge, date that the initial claim was filed, and date of last filing for the case. You may choose specific case information from a list of query options by clicking on the appropriate hyperlinked name on the screen. The following paragraphs describe several of the available case-specific query options.

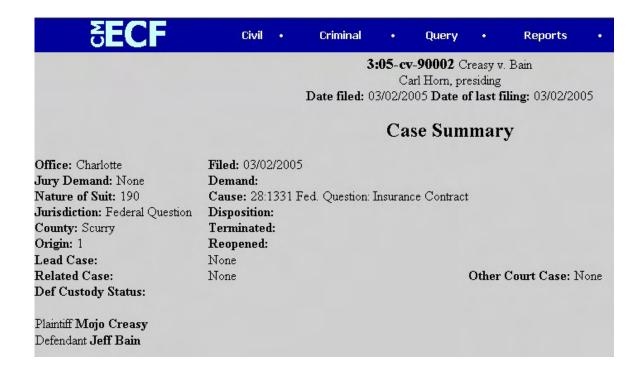
#### **Attorney**

Displays the names, addresses, and telephone numbers of the attorneys who represent each of the parties to the case.

Note: It will be necessary for parties represented by more than one attorney to file separate notices of appearances. Failure to do so will result in not being notified of court filings and proceedings.

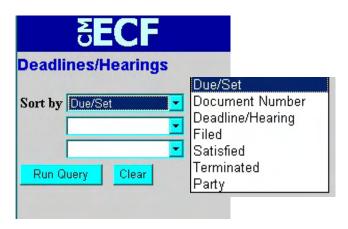
#### **Case Summary**

Provides a summary of current case-specific information as represented on the following page:



#### **Deadlines/Hearings**

Produces a screen that allows you to query the database by various means to obtain hearing and other schedule deadlines. If you query as illustrated below, ECF opens the **Deadline/Hearings** screen depicted below.



After the window opens, if you click on a document number, ECF will display the actual Scheduling Order for the conference or hearing.

# 1-01-01465-JR HARRELL v. DISTRICT OF COLUMBIA

James Robertson, presiding

Date filed: 07/02/2001 Date of last filing: 08/20/2001

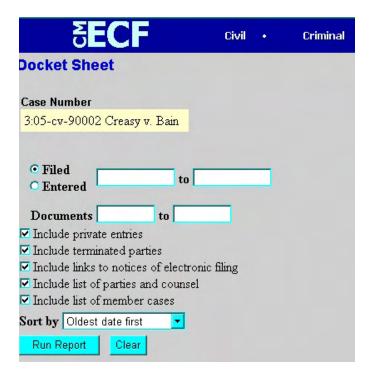
# Deadlines/Hearings

Doc. No.	Deadline/Hearing	Event Filed	Due/Set	Satisfied	Terminated
7	Jury Trial	08/20/2001	07/08/2002 at 09:30 AM		
7	Final Pretrial Conference	08/20/2001	06/27/2002 at 04:30 PM		
7	Status Conference	08/20/2001	01/08/2002 at 04:30 PM		
	Meet & Confer Hearing	07/31/2001	08/08/2001 at 02:00 PM		08/08/2001
1	Answer due from DC	07/02/2001	07/23/2001	08/06/2001	

If you click on the button to the left of the Deadline/Hearing title, ECF will display the docket information and related docketing entries for the hearing that you selected.

#### **Docket Report**

When you select Docket Report, ECF opens the Docket Sheet screen as depicted below:



You may select a date range for your docketing report as well as a range of docket numbers. If you leave the range fields blank, ECF will default to print the entire docketing report. Place a checkmark in the box to **Include links to Notice of Electronic Filing** if you wish to view them from the docket sheet. After you have selected the parameter for your report, click on the **[Run Reporter]** button. ECF will run your custom docketing report and display it in a window as depicted.

The document numbers in the middle column are hyperlinks to PDF files of the actual documents. Place your pointer on the button next to the document number and click to display the **Electronic Notification Report** for the document.

# **History/Documents**

This selection queries the database for case event history and documents associated with the case. After you click on the <u>History/Documents</u> hyperlink, ECF opens the screen depicted below. You may select the sort order for the query report and choose to exhibit all events or only those with documents attached. ECF also offers you the option to display the docket text in the report.



After making your selections, click on the [Run Query] button. ECF queries the database and builds your report. Figure 24A depicts a portion of History/Documents report. This particular report lists all of the events and documents associated with the case in reverse chronological order. It also displays the docketing text for all docketed events.

You may view a PDF file of actual documents by clicking on the document number in the far-left column of the onscreen report.

#### Other Queries

The process for selecting and running other queries in the **Query** feature of ECF is similar to what has been described above.

# **Reports Feature**

The Reports feature of ECF provides the user with several report options. After selecting the Reports feature from the Blue menu bar, ECF opens the Reports screen depicted on the following page:

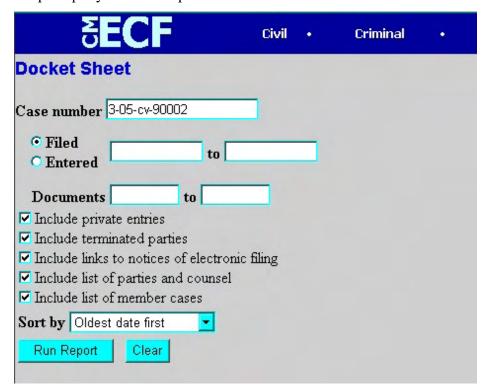


If you select Cases Filed or Docket Sheet from the screen depicted above, ECF will ask you to login to PACER. You may view Court Calendar Events for a case without logging into PACER.

#### **Docket Sheet**

Click on the **Docket Sheet** hyperlink ECF opens the PACER login screen.

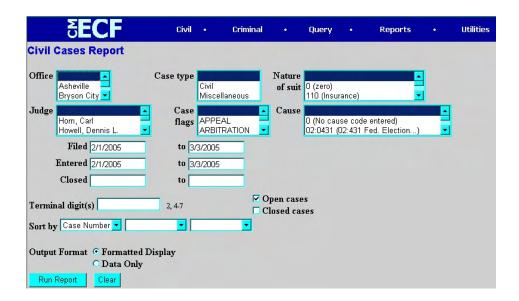
Enter your PACER login and password. Click on the **[Login]** button and ECF will open the Docket Sheet report query window depicted below.



This is the same query window that ECF displayed when you selected Docket Report from the Query feature. Enter the case number for your docket sheet in the Case Number field. Select parameters for the remainder of the data entry fields and click on the [Run Report] button. ECF will display a full docket sheet for the case you selected. See the Query feature section of this manual for a depiction of a partial docket sheet report. If you do not need a complete docket sheet, you can narrow the query using the date filed/entered fields. ECF also offers various sorting options from the Docket Sheet query screen.

# **Civil Cases Report**

The **Civil Cases** report provides you with the flexibility to query the ECF database to locate cases electronically filed within a specific date range, or by Nature of Suit and Cause Code. When you click on the **Civil Cases** hyperlink, ECF displays a query screen as depicted here.



Note: If you are not logged into PACER, ECF will display the PACER login screen. Login to PACER and ECF will open the Civil Cases Report screen.

Enter the range of case filing dates for your report and select a Nature of Suit or Cause Code, if you wish to narrow your search. If you leave all fields blank, ECF will display a report for all cases opened in ECF. This picture depicts part of a report of all cases filed in ECF at the U.S. District Court from 2/1/05 to 3/3/05.

#### Civil Cases Report U.S. District Court -- Western District of North Carolina Filed Report Period: 2/1/2005 - 3/3/2005 Entered Report Period: 2/1/2005 - 3/3/2005 Case Number/ Days Case Dates Notes Title Pending 2:05-cv-09876 Case filed: 02/28/2005 9 Cause: 28:1332 Diversity-Personal Injury v. Evans et al NOS: 110 Insurance Office: Bryson City Presider: Unassigned Jury demand: Plaintiff 3:05-cv-01212 Case filed: 02/23/2005 14 Cause: 05:75(2) Contract - Reduction in Grade Freeman NOS: 152 Contract: Recovery Student Loan Office: Charlotte Presider: Unassigned Jury demand: None 3:05-cv-90002 Cause: 28:1331 Fed. Question: Insurance Contract Case filed: 03/02/2005 7 Creasy v. Bain NOS: 190 Contract: Other Office: Charlotte

The far-left column of the Cases Filed report contains hyperlinked case numbers. If you click on a particular case number, ECF opens the Docket Sheet report window from which you can retrieve the docket sheet for the selected case. Follow the instructions in the previous section for a Docket Sheet report.

Presider: Carl Horn

#### **Utilities Feature**

The Utilities feature provides the means for registered users to maintain their account in ECF and to view all of their ECF transactions.



#### Your Account

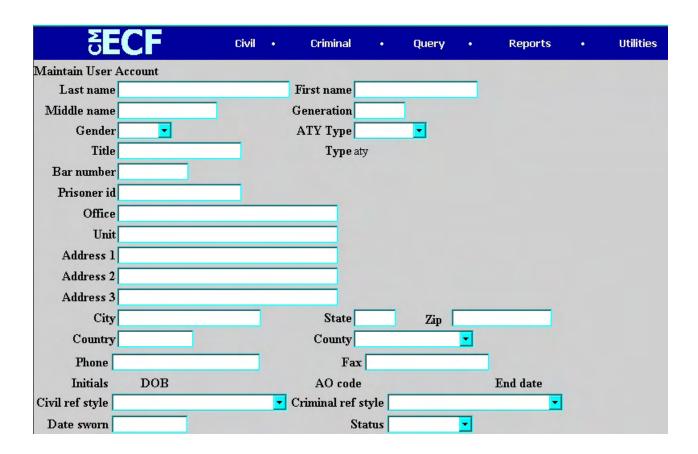
This section of the **Utilities** feature provides you the capability to maintain certain aspects of your ECF account with the Court and to view a log of all your transactions within ECF.

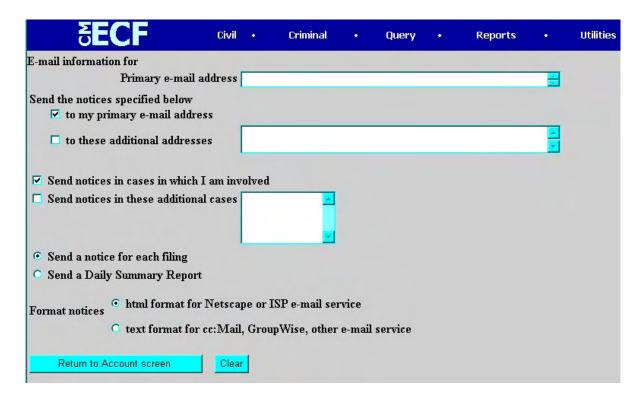
#### Maintain Your Account

Click on the <u>Maintain Your Account</u> hyperlink to open the <u>Maintain User Account</u> information screen.

This screen displays all of the registration information that is contained within the ECF database for your account with the Court.

Warning!!! It is the responsibility of the user to keep your e-mail and mailing address current.





Clicking on the [E-mail information] button opens the following screen.

ECF will e-mail to parties their Notices of Electronic Filing based upon the information entered in this screen. Perform the following steps to enter additional e-mail addresses for individuals that you wish ECF to notify regarding new case pleadings and documents.

- From the screen depicted on the following page, enter a check mark by clicking on the box to the left of the line, which reads "to these additional addresses"
- Enter the e-mail addresses of those individuals you wish to notify concerning ECF activity. This data entry field has a capacity of 250 characters for approximately ten email addresses.



- Stipulate the format of the ECF notices by selecting your choice from the bottom of the screen.
- If you wish to enter completely new information about your account, use the [Clear] button to clear the fields on this screen.

After updating your account information, click on the [Return to Account screen] button to return to your Maintain User Account screen (Figure 30).

To edit or view login information about your account, select the button labeled **More user information**, from the **Maintain User Account** screen. ECF opens the following screen:



This screen displays user login information and provides the means to change your ECF password. Notice that ECF displays a string of asterisks in the Password field. To change your ECF password, place your cursor in the Password field and delete the asterisks. Type in your new password. ECF displays the actual characters of your new password as you type. When you have completed your interface with ECF from this screen, click on the [Return to Account Screen] button to reopen the Maintain User Account screen. When you are satisfied that all of your account information is accurate and up-to-date, click on the [Submit] button at the bottom of the Maintain User Account screen to submit your changes to ECF. ECF will notify you onscreen that your updates were accepted. If you changed passwords, you may begin using the new password during your next ECF session.

# **View Your Transaction Log**

From the Utilities screen, click on the **[View your Transaction Log]** button. ECF opens a screen with two fields for entering the Date Selection Criteria for a Transaction Log Report. Enter the date range for your report and click on the **[Submit]** button. ECF displays a report of all your transactions in ECF within the date range you specified for Date Selection Criteria. See Figure 33 for a sample transaction log report.

Use this feature of ECF to review your transactions and to verify that:

All of the transactions you entered are reflected in the Transaction Log

No unauthorized individuals have entered transactions into ECF using your login name and password.

	<b>ECF</b>	Civil • Crir	ninal • Query • Reports • Utilities • Logout					
Transaction Log Report Period: 01/01/1996 - 03/03/2005								
Id	Date	Case Number	Text					
120749	02/14/2005 10:28:01	1-04-cr-123-2	NOTICE by John Smith (attorney, )					
121051	02/16/2005 14:33:01	1-04-cr-123-1	First EX PARTE MOTION <i>for a test</i> by Kimmy Majimmy. (attorney, )					
122285	03/02/2005 08:28:12	1-04-cv-1000	MOTION to Appoint Counsel by Jane Doe. (attorney, )					
122310	03/02/2005 11:05:37	1-04-cv-1000	Second MOTION for Preliminary Injunction <i>to cease and desist from</i> by John Smith. (attorney, )					
122418	03/02/2005 16:15:11	3-89-cr-2-1	MOTION to Suppress by Betty Boo. (attorney, )					
122512	03/02/2005 17:07:34	3-89-cr-2-1	Amended MOTION to Suppress <i>evidence</i> by Betty Boo. (attorney, )					
otal Number of Transactions: 6								

# Miscellaneous

ECF provides three Miscellaneous functions within the Utilities feature of the system.

- Legal Research
- Mailings
- Verify a Document

When you click on the <u>Legal Research</u> hyperlink from the <u>Miscellaneous</u> screen, ECF opens a new screen that contains hyperlinks to a Law Dictionary, a Medical Dictionary, and Westlaw via the Internet. Select the <u>Verify a Document</u> hyperlink to open a query screen and enter data in the screen fields to locate a particular document attached to a specific case number. There is also a <u>Mailings</u> hyperlink that opens a new screen for making or requesting mailings from ECF.

#### Logout

After you have completed all of your transactions for a particular session in ECF, you should exit from the system.

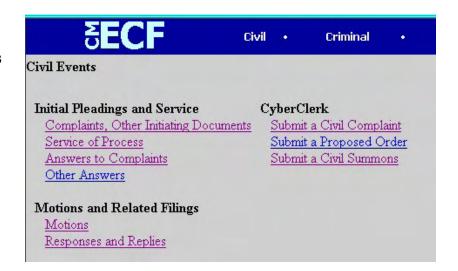
Click on the <u>Logout</u> hyperlink from the ECF <u>Blue</u> menu bar. ECF will log you out of the system and return you to the ECF login screen.

# **Additional Information Regarding ECF**

#### CyberClerk

CyberClerk is the ECF menu option to choose from the civil or criminal events screen when you are submitting any of the following documents to the Clerk:

- Complaints
- Summons
- Proposed Orders



# **Proposed Orders**

All proposed orders should be submitted using the CyberClerk option described above. The proposed Order must be in .rtf format ("Rich Text Format") or in a format compatible with the latest version of WordPerfect. Any proposed orders sent in other formats will be returned to the filer.

#### **Sealed Documents**

Continue to file sealed documents at the District Court Clerk's Office in accordance with the existing practices and procedures for conventional filing.